

August 5, 2016

FILED

2016 AUG 16 AM 15

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

To: Clerk of the Court
United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

To: Marc N. Swanson Miller, Canfield, Paddock and Stone, PLC
150 W. Jefferson, Suite 2500
Detroit, MI 48226

From: Beatrice McQueen
26533 Blumfield Street
Roseville, MI 48066

Claim Number 785

I, Beatrice McQueen, responding to the notice received August 4, 2016 from the United States Bankruptcy Court, Eastern District of Michigan, and Southern Division, has requested a response to the decision of the City of Detroit to disallow and expunge the claim filed due to non-payment of vacation time. I DO OPPOSE the objection of this claim and will attend the court hearing dated August 31, 2016.

Thank You.

Sincerely,



DRAFT



CITY OF DETROIT LAW DEPARTMENT
660 WOODWARD AVE., SUITE 1800
DETROIT, MICHIGAN 48226-3535
PHONE: 313.224.4550
FAX: 313.224.5505
www.detroitmi.gov

June 5, 2013

Randall Harrison, Inv.
State of Michigan – LARA
MIOSHA – Wage & Hour Division
7150 Harris Drive, P.O. Box 30476
Lansing, MI 48909-7976

RE: Beatrice McQueen
Claim No. 173264

Dear Inv. Harrison:

The City of Detroit is in receipt of the above captioned claim, alleging that the claimant is due Three Thousand Nine Hundred Eighty Eight Dollars and no cents (\$3,988.00) in vacation pay due at retirement for the period of October 1, 2012 through February 22, 2013.

The claimant is a retired Office Assistant III non-union employee. Please see claimants Employee History File attached as Exhibit A. This employee's employment demographics were in oracle and not our old PPS system that houses the Fringe Banks. Employee's payroll information is in Oracle that shows employee statements of earnings instead of payroll registers. Please see the Employee Statement of Earnings attached as Exhibit B.

Payment dates

October 5, 2012 "Vacation Bank" 0, with 8 hours of vacation paid \$100.00
October 19, 2012

Employee Statement of Earnings



Date Paid	Vacation Bank	Vacation Hours Used & Paid	Amount Paid For vacation
05/04/2012	408	0	0
05/18/2012	408	0	0
06/01/2012	408	0	0
06/15/2012	392	8	109.74
06/29/2012	384	8	109.74
07/13/2012	Not shown	16	219.48

07/27/2012	320	8	109.74
08/10/2012	320	0	0
08/24/2012	320	32	438.96
09/07/2012	320	0	0
No Oracle pay stub provided			
10/05/2012	0	8	\$100.00
10/19/2012	0	40	\$550.00
11/02/2012	0	0	0
11/16/2012	0	8	\$110.00
11/30/2012	0	0	0
12/09/2012	0	0	0
12/14/2012	0	0	0
12/28/2012	0	0	0
01/11/2013	0	0	0
01/25/2013	0	0	0
02/08/2013	0	0	0
02/22/2013	0	0	0

These Employee Statements of Earnings show a total of \$3,245.75 paid in vacation time and used for the year as of November 16, 2012. Therefore, \$3,245.75 divided by \$13.75 per hour wages equals 236.054... hours used divided by 8 hours per day equals 29.50681... vacation days paid in 2012. The claimant states that she did not return to work after the holiday shutdown period (Dec. 24, 25, 31 of 2012 and Jan. 1st, 2013). On January 11, 2013 the claimant was paid FMLA Reserve 40 hours, Dept Leave 8 hours and Holiday 32 hours. Then on Jan. 25, 2013 claimant was paid 12 hours FMLA sick 12 hours February 8 and 22, 2013 no pay was due.

Please see attached the claimant's August 29, 2012 Work Brain screen showing claimant's vacation bank with 320 hours. On

Balance Report


Employee	Team	Balance Type	Start Date	End Date	Order By
 ALL	ALL	 ALL VACATION	10/01/2012	02/28/2013	

Save Parameters

Save	<input type="checkbox"/>	Delete	<input type="checkbox"/>	Personal Report	<input type="checkbox"/>
Name	<input type="text"/>				
Description	<input type="text"/>				

Go

Report Results

Employee	Item	Time Code	Origin	Date	Change	Balance	Comment
MCQUEEN, BEATRICE - 	VACATION			10/01/2012	INITIAL BALANCE	48.00 HOURS	
	Balance Cascade			10/01/2012	-8.00 HOURS	40.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			10/02/2012	-8.00 HOURS	32.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			10/03/2012	-8.00 HOURS	24.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			10/04/2012	-8.00 HOURS	16.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			10/05/2012	-8.00 HOURS	8.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			11/05/2012	-8.00 HOURS	0.00 HOURS	Balance Cascade for SWING HOLIDAY
	Entitlement Adj			02/23/2013	56.00 HOURS	56.00 HOURS	Created by entitlement engine as a result of VACATION
	Balance Cascade			02/25/2013	-8.00 HOURS	48.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			02/26/2013	-8.00 HOURS	40.00 HOURS	Balance Cascade for SWING HOLIDAY
	Balance Cascade			02/27/2013	-8.00 HOURS	32.00 HOURS	Balance Cascade for SWING HOLIDAY

Balance Cascade	<u>02/28/2013</u>	-8.00 HOURS	24.00 HOURS	Balance Cascade for SWING HOLIDAY
	02/28/2013	FINAL BALANCE	24.00 HOURS	

Balance Report

Employee	Team	Balance Type	Start Date	End Date	Order By
<input type="text" value=""/>	<input type="text" value="ALL"/>	<input type="text" value="VACATION"/>	<input type="text" value="02/28/2013"/>	<input type="text" value="02/28/2013"/>	<input type="text" value=""/>

Save Parameters

☐ Save
 ☐ Delete
 ☐ Personal Report

Name

Description

Report Results

Employee	Item	Time Code	Origin	Date	Change	Balance	Comment
MCQUEEN, BEATRICE -	VACATION			02/28/2013	INITIAL BALANCE	32.00 HOURS	
				02/28/2013	-8.00 HOURS	24.00 HOURS	Balance Cascade for SWING HOLIDAY
				02/28/2013	FINAL BALANCE	24.00 HOURS	